

REMARKS

The rejections of Claims 2, 3, 4/2, 4/3, 10 and 11 as being unpatentable over Takano et al. in view of "level of ordinary [sic] of a worker in the art" and of Claims 2, 3, 4/2, 4/3, 6, 8, 10 and 11 as being unpatentable over Mikulic in view of "level of ordinary [sic] of a worker in the art" and Gleghorn et al., both under 35 U.S.C. § 103(a), are traversed. Reconsideration of each of these rejections is respectfully requested in view of the foregoing amendments and following comments.

Unlike any of the cited prior art, the present invention is one in which a plurality of magnets is concentrated in the center of a magnetic pole and a circumferential angle occupied by those ones of a plurality of magnets constituting one magnetic pole is in the range of 150 to 165 degrees in terms of an electrical angle. Among those ones of the plurality of magnets constituting one magnetic pole, the magnet arranged on the magnetic pole end side is arranged that the magnet is orientated on a straight line passing both the center of said rotary shaft and the center of the magnet, and is oriented in the direction which is in agreement with an outer radial direction which is in agreement with an outer radial direction of the rotor core. An angle formed between a longer side of the magnet and a line tangential to a point at which the straight line passing both the center of the rotary shaft and the center of the magnet crosses an outer circumferential surface of the rotor core is in the range of 3 to 6 degrees.

As a result, the present invention reduces a leakage magnetic flux as well as a distortion factor of an induced electromotive force waveform. Furthermore induced electromotive force is maximized. Applicants have described these features and their resultant advantages throughout their disclosure.

With the exception of the arrangement of the magnets, the Takano et al. patent does not disclose the other above-mentioned claim features. And the Mikulic patent doesn't disclose any of them. As to the "it would have been obvious" argument found at page 3 of the Office Action, Applicants note that whatever advantages might be achieved for making those changes, the prior art provides no such teaching for doing so. The advantage set forth in the Office Action is one noted only now, not previously. Even accepting a lower threshold for establishing obviousness without a secondary teaching as arguable enunciated in *KSR*, the Supreme Court did not retreat from the need to have a principled basis for establishing a *prima face* case of obviousness. That case must be based on evidence and not hindsight. Applicants note, however, that nothing taught by Takano et al. would lead to the claimed machine in this application.

In this connection, the cited reference (and this applies to Mikulic as well) does not suggest the claimed combination along with more than three

magnets or that the machine has only two magnetic poles. Applicants attach a sketch in which their invention is shown in Fig. A and the Takano et al. arrangement is shown in Fig. B. In the present invention, the magnetic flux passes through a center of a rotor, and the magnetic flux density at the center portion is seen to high. In Fig. B, which corresponds to Fig. 4 in the Takano et al. patent, the rotating electric machine has than four magnetic poles, and the magnetic flux does not pass through a center of a rotor. Importantly, magnetic flux density at the center portion is low. In the rotating electric motor in which the magnetic flux density at the center portion is high as in the present invention, the arrangement of the magnets has a substantial influence on the electric machine characteristic compared with the prior art rotating electric machine having more than four magnetic poles.

The prior art as exemplified by Takano et al., Mikulic and Gleghorn et al. do not point in the direction of the claimed invention herein. Accordingly, early and favorable action is earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit
Account No. 05-1323 (Docket # 056205.55926US).

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Respectfully submitted,



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